Case 3:19-md-02913-WHO Document 4348 Filed 12/05/24 Page 1 of 4

## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

3

5

6

7

8

9

1

2

IN RE: JUUL LABS, INC., MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION,

Case No. 19-md-02913-WHO

JOINT STIPULATION TO EXTEND DEADLINES FOR PERSONAL INJURY OPT-OUT PLAINTFFS

This Document Relates to:

Cole Aragona v. Juul Labs, Inc. et al., 3:20-cv-1928;

10 | Jordan Dupree v. Juul Labs, Inc. et al., 3:20-cv-03850;

11 | Kaitlyn Fay v. Juul Labs, Inc. et al., 3:19-cv-07934;

12 | Jennifer Lane v. Juul Labs, Inc. et al., 3:20-cv-04661;

Bailey Legacki v. Juul Labs, Inc. et al., 3:20-cv-01927

14 | Walker McKnight v. Juul Labs, Inc. et al., 3:20-cv-02600;

15 | Carson Sedgwick v. Juul Labs, Inc. et al., 3:20-cv-03882;

16 Ben Shapiro v. Juul Labs, Inc. et al., 3:19-cv-07428; and

17 Matthew Tortorici v. Juul Labs, Inc. et al., 3:20-cv-03847

18

19

20

21

22

23

24

25

Pursuant to Section VIII of this Court's Case Management Orders Nos. 17 and 19, Defendants Juul Labs, Inc. ("JLI"); the JLI Settling Defendants<sup>1</sup>; the Independent Retailer Defendants<sup>2</sup>; Defendants Altria Group, Inc., Philip Morris USA Inc., Altria Client Services LLC, Altria Enterprises LLC, and Altria Group Distribution Company ("Altria"); and nine (9) of the personal injury plaintiffs who have elected to opt out of plaintiffs' settlements with JLI and/or Altria ("Opt-Out Plaintiffs") (collectively referred to herein as the "Parties") respectfully submit this joint proposed Scheduling Order for the Opt-Out Plaintiffs.

26

27

28

<sup>&</sup>lt;sup>1</sup> The JLI Settling Defendants include Juul Labs, Inc.; James Monsees; Adam Bowen; Nicholas Pritzker; Hoyoung Huh; Riaz Valani; and Wawa, Inc.

 $<sup>^2</sup>$  The Independent Retailer Defendants include Mega Select, Inc. d/b/a The Hook Up and XMMS LLC d/b/a Climax Smoke Shop or Climax.

The Parties have met and conferred and agreed to extend the deadlines to conduct Additional Discovery to January 30, 2025 and to commensurately extend the deadlines for *Daubert* and dispositive motions in the following matters: Cole Aragona v. Juul Labs, Inc. et al.; Jordan Dupree v. Juul Labs, Inc. et al.; Kaitlyn Fay v. Juul Labs, Inc. et al.; Jennifer Lane v. Juul Labs, Inc. et al.; Bailey Legacki v. Juul Labs, Inc. et al.; Walker McKnight v. Juul Labs, Inc. et al.; Carson Sedgwick v. Juul Labs, Inc. et al.; Ben Shapiro v. Juul Labs, Inc. et al.; and Matthew Tortorici v. Juul Labs, Inc. et al. The Parties hereby submit the proposed Scheduling Order attached as Exhibit 1. The Parties have further agreed that these extensions shall not prejudice any Party's right to seek relief from the Court, including but not limited to further extensions, if a Party believes the need arises in the future.

| 1   | Dated: December 5, 2024   | Respectfully submitted,                           |  |  |
|-----|---|---|--|--|
| 2   | By: /s/ Timothy S. Danninger  | By: /s/ Scott P. Schlesinger                      |  |  |
| 3   | Timothy S. Danninger (pro hac vice)   | Scott P. Schlesinger (pro hac vice)               |  |  |
|     | GUNSTER, YOAKLEY & STEWART, P.A.  | Jonathan R. Gdanski (pro hac vice)                |  |  |
| 4   | 1 Independent Drive, Suite 2300   | Jeffrey L. Haberman (pro hac vice)                |  |  |
| 5   | Jacksonville, FL 32202  | SCHLESINGER LAW OFFICE, P.A.                      |  |  |
|     | Telephone: 904-354-1980   | 1212 SE Third Avenue                              |  |  |
| 6   |   | Fort Lauderdale, FL 33317                         |  |  |
| 7   | Attorneys for Defendant Juul Labs, Inc.   | Telephone: 954-467-8800                           |  |  |
| 7   | By: /s/ John C. Massaro   | Attorneys for Plaintiffs Aragona, Dupree,         |  |  |
| 8   | John C. Massaro (pro hac vice)  | Fay, Lane, Legacki, McKnight, Sedgwick,           |  |  |
|     | Daphne O'Connor (pro hac vice)  | Shapiro, and Tortorici                            |  |  |
| 9   | Jason A. Ross (pro hac vice)  |   |  |  |
| 10  | David E. Kouba (pro hac vice)   | By: /s/ Christopher J. Esbrook                    |  |  |
| 10  | ARNOLD & PORTER KAYE SCHOLER LLP  | Christopher J. Esbrook                            |  |  |
| 11  | 601 Massachusetts Avenue NW   | David F. Pustilnik                                |  |  |
| 12  | Washington, DC 20001  | ESBROOK P.C.                                      |  |  |
| 12  | Telephone: 202-942-50000  | 321 N. Clark Street, Suite 1930                   |  |  |
| 13  | Facsimile: 202-942-5999   | Chicago, IL 60654                                 |  |  |
|     | Attourne for Defordants Altria Crown Inc.   | Telephone: 312-319-7680                           |  |  |
| 14  | Attorneys for Defendants Altria Group, Inc., Philip Morris USA Inc., Altria Client Services | By: /s/ Derek Angell                              |  |  |
| 15  | LLC, and Altria Group Distribution Company  | Derek Angell (pro hac vice)                       |  |  |
|     | EDC, and Ittita Group Distribution Company  | O'CONNOR, HAFTEL & ANGELL                         |  |  |
| 16  | By: /s/ Eugene Illovsky   | PLLC  |  |  |
| 17  | Eugene Illovsky   | 800 N. Magnolia Avenue, Suite 1350                |  |  |
| 1 / | Kevin Calia   | Orlando, FL 32803                                 |  |  |
| 18  | ILLOVSKY GATES & CALIA LLP  | Telephone: 407-843-2100                           |  |  |
| 10  | 1611 Telegraph Avenue, Suite 806  | A44   |  |  |
| 19  | Oakland, CA 94612   | Attorneys for Mega Select, Inc. d/b/a The Hook Up |  |  |
| 20  | Telephone: 415-500-6643   | Поок Ор   |  |  |
| 21  | Attorneys for Defendant Adam Bowen  | By: /s/ Jessica M. Kennedy                        |  |  |
| 41  |   | Jessica M. Kennedy                                |  |  |
| 22  | By: /s/ Michael J. Guzman   | Scott Richman                                     |  |  |
| 22  | Mark C. Hansen  | MCDONALD TOOLE WIGGINS, P.A.                      |  |  |
| 23  | Michael J. Guzman   | 111 N. Magnolia Avenue, Suite 1300                |  |  |
| 24  | David L. Schwarz  | Orlando, FL 32801                                 |  |  |
|     | KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.  | Telephone: 407-838-4053                           |  |  |
| 25  | Sumner Square, 1615 M Street NW, Suite 400  | Attorneys for XMMS LLC d/b/a Climax               |  |  |
| 26  | Washington, DC 20036  | Smoke Shop or Climax                              |  |  |
| 20  | Telephone: 202-326-7910   | r   |  |  |
| 27  | Attorneys for Defendants Nicholas Pritzker, Riaz  |   |  |  |
| 20  | Valani, and Hoyoung Huh   |   |  |  |
| 28  | 1   |   |  |  |

|                                 | Case 3:19-md-02913-WHO                             | Document 4348 | Filed 12/05/24 | Page 4 of 4 |
|---------------------------------|--|---------------|----------------|-------------|
|                                 | _ ,,,,   |               |                |             |
| 1 2                             | By: /s/ James Kramer James Kramer                  |               |                |             |
| 3                               | Catherine Malone<br>Kevin Askew                    |               |                |             |
| 4                               | ORRICK HERRINGTON<br>LLP                           | & SUTCLIFFE   |                |             |
| 5                               | The Orrick Building<br>405 Howard Street           |               |                |             |
| 6                               | San Francisco, CA 94105<br>Telephone: 415-773-5700 |               |                |             |
| 7                               | 1 crepnone. 415 775 5700                           |               |                |             |
| 8                               |  |               |                |             |
| 9                               |  |               |                |             |
| 10                              |  |               |                |             |
| 11                              |  |               |                |             |
| 12                              |  |               |                |             |
| 13                              |  |               |                |             |
| 14                              |  |               |                |             |
| 15                              |  |               |                |             |
| 16                              |  |               |                |             |
| 17                              |  |               |                |             |
| 18                              |  |               |                |             |
| 19                              |  |               |                |             |
| 20                              |  |               |                |             |
| 21                              |  |               |                |             |
| 22                              |  |               |                |             |
| 23                              |  |               |                |             |
| 24                              |  |               |                |             |
| 25                              |  |               |                |             |
| <ul><li>26</li><li>27</li></ul> |  | 1             |                |             |
| 28                              |  | - 4 -         |                |             |
| ۷٥                              | II .   |               |                |             |